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In re Application of:

Aladar Szalay et. al.	:	DECISION
Application No.: 09/786,377	:	
PCT Application No.: PCT/US99/20207	:	
Int. Filing Date: 02 September 1999	:	ON PETITION
Atty. Docket No.: 11785-3	:	
Priority Date: 03 September 1998	:	UNDER 37 CFR 1.181
For: METHOD FOR STUDYING PROTEIN	:	
INTERACTIONS IN VIVO	:	

This is a decision in response to applicant's communication filed on 04 March 2004. This letter is being treated as a petition under 37 CFR 1.181.

**BACKGROUND**

On 02 September 1999, applicants filed international application PCT/US99/20207, which designated the U.S. and claimed a priority date of 03 September 1998. A demand for International Preliminary Examination which elected the United States of America (US) was filed on 23 March 2000. Accordingly the 30-month deadline for entry into the U.S. national stage expired at midnight on 03 March 2001.

On 01 March 2001, applicants filed a transmittal letter for entry into the national stage in the United States which was accompanied by the requisite U.S. Basic national fee and an executed Declaration of the inventors.

On 26 April 2001, the United States Designated/Elected Office (DO/EO/US) issued a form PCT/DO/EO/905 (NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US). This form indicated that the required sequence listing pursuant to 37 CFR 1.821 – 1.825 had not been submitted.

On 07 December 2001, applicants filed a copy of the Sequence Listing in Computer Readable Form (CRF). On 27 August 2002, DO/EO/US issued a Form PCT/DO/EO/916 (NOTIFICATION OF DEFECTIVE RESPONSE).

On 23 September 2002, applicants submitted another copy of the sequence listing CRF and a paper copy of the sequence listing. On 16 September 2003, DOEO/US issued another Form PCT/DO/EO/916 (NOTIFICATION OF DEFECTIVE RESPONSE). The applicant's responded to this notification with another copy of the CRF which was submitted to the USPTO on 24 September 2003.

In response to a call to the PCT Help Desk on 03 March 2004, applicants submitted this letter with a copy of the 24 September 2003 response and a petition to have these documents considered timely filed.

### DISCUSSION

After a thorough examination of the file, the response dated 24 September 2003 was found and sent to the enclosed sequence listing CRF was determined to be acceptable.

### CONCLUSION

For the reasons discussed above, the petition dated 04 March 2004 is dismissed as moot since the 24 September 2003 submission was found and determined to be acceptable.

This application will be forwarded to the United States Designated/Elected Office (DO/EO/US) for issuance of Form DO/EO/903 which will indicate that the requirements of 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) and all requirements of 35 U.S.C. 371 have been complied with on 01 March 2001.

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, with the contents of this letter marked to the attention of the PCT Legal Office.



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